IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10850 OF 2004

Shri Nandkumar G. Kulkarni ..Petitioner.

Versus

Shri Genubhau D. Dangat & Ors. ..Respondents.

Mr. G.S. Godbole with A.M.Joshi for the Petitioner.

Mr. V.P.Patil for Respondent No.1.

CORAM : S. A. BOBDE, J.

DATED : 27TH JUNE, 2005.

P.C.:

. Rule. Rule made returnable forthwith. Heard by consent.

2. I see no reason to interfere with the order of the Appellate Court, which has also directed the trial court to expedite the suit and decide it as early as possible within three months from the date of the receipt of its order. This order needs to be fortified by direction from this court, which is

hereby given - that the trial court shall decide the suit within three months from the date the parties appeared before it. The parties are directed to appear before the trial court on 11th July, 2005.

3. In the meanwhile, by consent the following order is passed.

The petitioner shall carry out any work for completion of the present building, which has been constructed by him, towards the back side of the plot.

The petitioner shall not claim any equities and shall complete the construction on its own risk.

. All the contentions on merit, are left open.

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